1305 F: HYD. ACT III] Destruction of Useless Records

قا نون تلف كاغذات بركار نشان (۲۰۱) مشترل

(Translation)

SCHEDULE.

ENACTMENTS AND CIRCULARS AS REPEALED BY

SECTION 2 OF THE DESTRUCTION OF USELESS RECORDS ACT

		1	
Title, with date and year.	Subject.	Extent of repeal.	Be-
1	2	3	4
Regulation dated 24th Rabi-ul-Awal 1302 H.	Powers of High Court Regulation.	So much as relates to destruction of useless records.	
Regulation dated 1300 H.	Powers of First Board of Revenue Regulation.	Clause 52 and so much as relates to destruction of useless records.	

Circles .	بزيخ مقدار يخ	مقمول خلاصه	ناك بقيدًا تك وسنه	
۲	٣	r	1	
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General [1308 F : HYD. ACT III Clauses

(Translation)

THE GENERAL CLAUSES ACT No. III of 1308 F.

Sections.

Preamble.

PRELIMINARY.

1. Short title, extent and commencement.

GENERAL DEFINITIONS.

- 2. Definitions.
 - (1) Act.
 - (2) Part.
 - (3) Chapter.
 - (4) Section.
 - (5) Sub-Section.
 - (6) Schedule.
 - (7) Mamalik-e-Mahrusa-Sarkare-Ali (H. E. H. the Nizam's Dominion).
 - (7a) Balda.

والول مروطلال فواهن ونعان مرسان والمن مرسان مرسان مرسان مرسان مراسان مرا

م تعربفات _

(۲) حصر -

---!(1")

رمي وتحسيم

ويد اصمريه

(4) كالك يكروسك سركارها ف-

(4- المذ) بلاه -

General [1308 F; HYD. ACT III Clauses

(Translation)

- (8) District.
- (9) Sarkar.
- (10) Principal Revenue Department.
- (11) Local Authority.
- (12) Taluqdar.
- (13) District Court.
- (14) Magistrate.
- (15) Jarida.
- (16) Notification.
- (16a) Order.
- (17) Rule.
- (17a) Government Servant.
- (17b) Act of a Government servant.
 - (18) Order of Government servant
 - (19) Power.
- (19a) Property:
- (20) Immovable property.
 - (21) Movable property.
- (21a) Goods.
- (22) Rupee.
 - (23) Writing.
 - (24) Signature.
 - (25) Document.

قاون قبيرواطلاق قوانين فشان دس كمنظر

١ (٩) كستوكان -رون اعلى محكرمال -دور علس مقامی -(۱۲) تعلقت دار -(١١١)عدالت صطع -د سي ناظم فوجسداري -۱۷۱ الفت) لحازم مسركا رى -(12 - ب ، مرکاری طانع سے مشل -(۱۸) حکم المازم مسبرکاری -رون) احتسار -(19- الف) جا ندا و -د ١٧٠ جا كدا وغير تنقوله -١١٦١) جنا ندا ومنعوّ لر ...

(۲۱ر، دف) مال -

د سوم استخسیر سر -

(۲۵) دمستاویز -

General [1308 F: HYD. ACT III Clauses (Translation)

(25a) Valuable security.

(25b) Bond.

(26) Will.

(26a) Registered.

(27) Oath.

(28) Affidavit.

(29) Act.

(30) Offence.

(31) Abet.

(32) Illegal.

(33) Legally bound to do.

(34) Injury.

(35) Public Nuisance.

(36) An act to be done in good faith.

(37) Imprisonment.

(38) Month.

(39) Year.

(40) Singular and plural.

(41) Masculine and Feminine.

(42) Public.

(43) Person.

(43a) Minor.

د ونويه الف كفا لت المال --- --- 5 1/6 / (الف) در الف) (۲۸) سان ملفی -(. W) جسسرم -ر ۱۳۷ فلات قالون -ر سوس ومرکاکرنا قانوناً واحب (pa) امرباعت تتحليف عام - Luy) (44) والمهاع مبعث المستنار - الله روس، سال -۱۰۷) واحد وجمع -(ام) عَرُكُومُونْتُ _ - - - (14) دسويمي تشخص -دسهم رالفت ثاما لغ ۔

ن مبيرواطلاق قوانين رفتان دس بمسلات الله

1308 F: HYD. ACT III] General Clauses (Translation)

- (44) Father.
- (45) Son.
- (45a) Cattle.
- (46) Vessel.
- 2.A. SARFEKHAS AREA AND SARFEKHAS SERVANTS SHALL BE DEEMED TO BE OF GOVERNMENT.

APPLICATION OF ACTS.

3.

- 4. Construction of references to repealed enactments.
- 5. Commencement and termination of time.
- 6. Computation of time.
- 7. Measurement of distances.
- 8. Duty to be taken pro rata in enactment.

POWERS AND FUNCTIONARIES.

- 9. Powers conferred shall be exercisable from time to time.
- 10. Power to appoint includes power to appoint ex-officio.
- 11. Exercise of powers in case of transfer from one office to another.

مّا نون تعبير<u>دا طلاق ق</u>وانين نشان دس م^{مريم}ا من ...

(۱۳۲۰) بیا ہے -(۱۳۶۱) بیٹے -(۱۳۶۱) برائیت -(۱۳۶۱) مرکب تری -المن علاقہ صرف خاص و ملازمان صرفخاص مرکاری تصور ہوں گے -

م احتیارات جوعطا بو کے برن دُقاً نُرقاً عابل ثفا ذیوں کے ۔ ا اختیا رَتقر بین احتیار تقر رہ اعتبار عہدہ داخل ہے ۔ ا ایک عہدہ سے دوسر سے عہدہ رنتقل ہو کی مورت ہیں اختیارات کی میں لانا ۔ General [1308 F: HYD. ACT III Clauses (Translation)

Power to appoint includes Power to suspend or dismiss.

13. Substitution of functionaries

14. Successors.

PROVISIONS AS TO ORDERS AND RULES UNDER ENACTMENT.

15. Power to make rules, etc., includes power to add, to vary or rescind them.

16. Making and issuing of rules, etc., between passing and enforcement of enactment.

17. Provisions to make rules, etc., after previous publication.

18. Construction of orders, etc., issued under enactments.

19. Continuation of rules etc., issued under enactments repealed.

MISCELLANEOUS.

20. Recovery of fines.

١٢ نقرر كامتيار من طل ياموترف كر ا کا احتیار داخل ہے۔ ۱۳ اعبدہ داروں کی مگرد درسروں کا مام ١١ قوا عد دغيره كا وطنع كرك حا بككرنا ما بین نظور مرد نے اور نا نب رہونے ما ری کے مائس. ۲۰ جوما يون كا وهول كياما تا -

1308 F: HYD. ACT III] General Clauses (Translation)

- 21. Provision as to offences Punishable under two or more enactments.
- 22. Citation of enactments.
- 23. Appeal against orders of punishment.
- 24. Omitted.

مَا لَوْنَ تَعْبِيرُواطِلانَ قِوانِينَ - نَا نَ ١١٠١ مُسْتِلِينَ

ام احکام نیت ان جرائم کے جود ویا زیادہ قوانین کے ہوجب قبال معسنرا ہوں -۱۲ ذکر قوانین کا -۱۲ اکھام سزاکا مرافعہ - (Translation)

THE GENERAL CLAUSES ACT.

No. III of 1308 F

(Received the assent of H. E. the Madarul Moham on 14th Isfandar 1308 Fasli).

Whereas it is expedient to have brevity in the text used in the laws made by the Legislative Council H. H. The Nizam's Dominions, and to make certain provisions for the construction and application thereof;

It is hereby enacted as follows:—

PRELIMINARY.

1. This Act may be called "The General Clauses Act" and shall come into force atonce* in the whole of H.H.
The Nizam's Dominions.

GENERAL DEFINITIONS.

2. In this Act, and in all laws

Definition. made by the Legislative

Council of H. H. The

Nizam's Dominions, unless there is

^{*}Published in the Jarida dated 28th Isfandar, I308 F.

General Clauses [1308 F: HYD. ACT III (Translation)

anything repugnant in the subject or context,—

- (1) the word "Act" and the words
 "Act" denoting code shall mean
 the Act for the time being
 in force;
- (2) the word "Part" when used "Part" with respect to any Act shall mean a part of the Act in which the word is used;
- (3) the word "Chapter" when used with respect to any Act shall mean a chapter of the Act in which the word is used;
- (4) the word "Section" when used "Section" with respect to any Act shall mean a section of the Act in which the word is used;
- (5) the word "Sub-section" when used with respect to any section shall mean a subsection of the section in which the word is used;
- (6) the word "schedule" shall mean a Schedule to the Act in which the word is used;
- (7) the words "Mamalik-e-Mahrusa
 "Mamalik-e-MahrusaSarkar-e-Ali" (i. e. His
 Highness the Nizam's
 Dominions) shall mean
 the whole of the territory
 which is or may hereafter
 come under the suzerainty

كمل قوانين مرتبر محلس دصع قوامين مالك محردسه سرکا رعا کی میں بھڑ اس کے کہ مضمون باس عمارت اس کے خلا ٹ ہو۔ ت نون ١١١) - لفظ "قانون" اوران الفاظ سے جوئی مجموعہ ما نون یہ دلالت کرتے ہوں تا ہ ن نا ندالوقت سے مراد ہوگی۔ مصر - ارم) - لفظر حصد "سے جب وہ كى فا نون محمعلق استِمال كياطائد است فا نون كا حصهم اد بوكايس من لفظ مذكور استعال موامو-باب إرسم) منظر ابس سے جب وہ كى ما د ن كي تعلق استمال كيا جلسه اس ما نون كا با ب مرا د بوگا جس مِن لفظ مٰد كوراستهال بوا يو -رنىسى الركم) دلفظ د وفعر سے جبوه كى فانون سميعلق استفال كا حاسب اس فالزن كى د نعه مراد بهو گیجس میں لفظ ن*د کور است*عال ہو۔ (۵) لفظ الفنين "عد جب دوكسي وفعر محتعلق استعال كيه جاسب - اس دفعه كالنمن مراد پو*گاجن من لفظ مکرد راستمال موامو* -تميسه (١٧) لفظ وصيمه اسعاس فانون كالمنيم مراورككا مس من لفظ مُدكور استمال بوارير ممالک محرور مرکا رجالی | (۵) _ الفاظ" مالک مجرو سراريالي"سے دوتما مظمر دمراد مرح جوندگال على حضرت منظلہ العالی کے تبصیراً قبدًا رس ہے یاآ نیڈ

مَّا لَوْنَ تَعِهِ وَاطْلَاقَ تَوَانَينِ نِشَانِ دِسٍ بِمُسْتَلِّهِ مِنْ

of H. H. the Nizam, except the areas as H. H. the Nizam may exempt for the purposes of all laws or of any particular Act. For the words "Mamalikate-Asafia" or "Sarkar-e-Asafia" wherever used in the Acts made by the Legislative Council the words "Mamalik-e-Mahrusa Sarkar-e-Ali" (H.E.H. the Nizam's Dominions) or "Sarkar-e-Ali" (the Government) shall be substituted;

*[(7-A) the word "Balda" shall mean "Balda" the city of Hyderabad and shall also include suburbs;]

(8) the word "district" shall also "District;" extend to the city and suburbs as well as to the *[Amaldari of Sirpur-Tandur;] and the Board of Revenue, or any authority whom the Government may appoint shall exercise the powers of a District Taluqdar for the city and suburbs;

**[(9) the words †"Sarkar-e-Ali"
"Sarkar" shall mean the Prime
Minister. In all Acts made
by the Legislative Council the words
"Sarkar-e-Ali" shall be substituted for
the words "Madar-ul-Moham Sarkare-Ali" or the word "Sarkar";]

أبي كروان تطعات كيون كوبندكان الملح مضرت شدرآیا دموگا ورسره ن بلد دهی اس

مركم حاص ر

^{*}As amended by Act No. VI of 1310 F.

^{**}As amended by Act No. XV of 1329 F.

[†]See Act No. XVIII of 1950.

کے ۔ ترمیم ہوجی۔ دخرا کا نون نشان ۲ مسٹسکلرت کے ۔ ترمیم ہوجی۔ دخرا گانون نشان ۱۵ سم ۱۹۲۷ ا شے فرٹ ملاحظ ہونسلکر کا نون شان ۱۸ امٹسٹرکر وخرام میں

(10) "Principal Revenue Department" shall mean the Board of Revenue, or the department vested with powers of the Board of Revenue, in reference to which the words "Principal Revenue Department" are used;

(11) the words "Local Authority" shall mean a municipal committee, local fund committee, or such other committee which may be entitled to expend and control any local income according to law;

(12) the word "Taluqdar" shall mean the officer in charge of the administration of the Revenue Department of a district; and in the *[Amaldari of Sirpur-Tandur, the Amaldar, Sirpur-Tandur shall be deemed to be the Taluqdar;]

(13) "District Court" shall mean the principal Court of original jurisdiction in a district;

(14) the word "Magistrate" shall include every person exer"Magistrate" cising all or any of the powers of a Magistrate under the Code of Criminal Procedure but shall not include the judges of the

سيبعه فيجس كواز رويسة فالذان

مَّا وَ ن تَعِيرِ وَاطَلَاقَ قَوَانِينَ مُثَانَ وَسِهِ مِنْ اللَّهِ مِنْ اللَّهِ مِنْ اللَّهِ مِنْ

^{*}As amended by Act No. VI of 1310 F.

ے ترمیم موجب فوس قانون نتان وسنا الدف

1308 F: HYD. ACT III] General Clauses

(Translation)

High Court or the Judges of Divisional Courts:

- (15) the word "Jarida" shall mean the Jarida notified by the "Jarida". Government which is published under the order of the Government;
- (16) the word "Notification" shall mean a notification published in the Jarida by a lawful order;
- *[(16-A) the word "Order" shall mean an order given by a "Order" Government servant in exercise of any power vested in him by law;]
 - (17) the word "Rule" shall mean a rule made in accordance with the power conferred by any law;
- *[(17-A) the words "Government Servant" shall include every person who receives a monthly pay or remuneration from the muneration from the wages for Government work, or who does any Government work without wages;]

مًا وُ نُ تُعدروا طلال قوامين ليّان وسو بمنسلط ف نظل معدالت سمت اسمين وإخل نربول متح -سمياهما بهوجوئسي فانؤن سيعمطابهوا بو-بلااجمرت كرتابهو _

کے ترمیم برجیب دند ۲ قانون نشان ۱۰ بروس الدن کے ترمیم برجیب دند بهمنن ۵ قانون نشان برسطان سے ۔ ترمیم برجیب دفعہ ۲ قانون شان ۲ سناسال

^{*}As amended by Sec. 2 of Act No. VI of - 1310 F.

[†] As amended by Act No. XV of 1329 F.

(Translation)

Explanation (1). Railway employees, members and servants of municipal committees shall also be considered as Government servants;

Explanation (2). Wherever the expression "Government Servant" occurs, it applies to every person who is virtually holding the office of a Government servant, whatever defect there might be in his right to hold that post;

‡[(17-B) the words "Act of a Government" shall mean an act which he may do in the official capacity;]

(18) the words "Order of a Government servant" shall mean only the order made by a Government servant in the exercise of his official powers virtually vested in him or which he believes in good faith to vest in him and has not been cancelled by any other order;

(19) the word "power" means a "Power" legal power;

‡[(19-A) the word "property" shall extend to both immovable and movable;]

(20) the words "immovable property" shall include land, rights of benefits arising out of land and all things

‡As amended by Act No. VI of 1310 Fasli.

کے ۔ (۱) ۔ ملا زمان رملو ہے اور اركه ن وملانه ما ن مجالس صفا في بحي طازم مسركاري له . تميم بموجب دخه احتمن ٦ قا يؤن نشأ ن

تما نوس تعرفه اطلاق توانين نشاب (۱۳) مشر

1308 F: HYD. ACT III] General Clauses.

(Translation)

attached to the earth, or permanently fastened to any thing attached to the earth so long as it is thus attached or fastened;

(21) the words "movable property" shall mean property of every description other than immovable property;

*[(21-A) the word "goods" shall not extend to immovable property;]

(23) the word "writing" the expressions including the "Writing" word "writing" shall include impression of every kind and every mode by which words are represented on any material substance;

(24) the word "signature" and the expressions including the "Signature" word signature shall, when used with respect to any person who is unable to write his name, include the mark of his seal, or any other "mark";

(25) the word "document" shall include any matter recorded in writing by such means as are intended to

تا دن تبریز اطلاق توانین دنیان دس مشیری در این شیری کرد در این سطعتی بهون یا اسی شیری کے ساتھ دائم سوست بهون جو زمین سطعتی بهون قوتکر ما تعدد میری سطعتی بهون قوتکر ما کرد دخیش تولد کے علاوہ بشرم کی جا کدا دخیش تولد کے علاوہ بیرم کی جا کدا دخیش تولد کے علاوہ بیرم کی جا کدا دخیش تولد کے علاوہ کا دخیش تولد کے دولائی کے دولائی کا دخیش تولد کے دولائی کہ بیوک کے ۔

† [(22) "rupee" means a rupee in I.G. currency and fractional denominations of a rupee shall be construed accordingly;]

تحسریر - ارسم الفظ تحریر ادران لفا میں جن میں لفظ تحرید شامل ہو ہوئم کا جھا چہ اور ہرای طریقہ داخل ہے جس کے ذریعہ سے الفاظ کسی ما دی شئے برطا ہر کئے جائیں -بستخط - ارسم ۲) - لفظ "کستخط" اوران لفاظ میں جن میں لفظ کرستخط شامل ہو صب وہ تعلق کسی ایشنخص کے تعمل ہوں جو اپنانام ند کھے سکے تواسکی علامت میریا اور کوئی "علامت" داخل ہوگی -علامت میریا اور کوئی "علامت" داخل ہوگی -دستاویز ارستاویز ارستاویز ارستاویز ارسی ارسی الرا

ه رترميم بموجب فعهمن (٤) قان نان ٢ مناعلف

†As amended by Act No. I of 1953. Published in Gazette Extraordinary No. 47 dated 1st April, 1953.

^{*}As amended by Act No. VI of 1310 F.

be used, or which may be used, for the purpose of recording that matter;

†[(25-A) the words "valuable security" shall mean a document which is or purports to be a document whereby any legal right is created, extended, transferred, restricted, extinguished, or released or whereby any person acknowledges that he is legally liable or that a certain legal right does not belong to him;]

‡[(25-B) the word "bond" shall also include a document where"Bond" by a person promised to another to make payment of money on condition that, if a particular act is done or a particular act is not done, the said promise shall become void;]

(26) the word "will" shall include a codicil and every writing "will" having a mention of a voluntary posthumous transfer or disposition of any property;

‡[(26-A) the word "registered" shall be said of a document "Registered" duly registered in H. H. the Nizam's Dominions;]

‡As amended by Act No. VI of 1310 F.

قا نون تعبيره اطلاق قرانين نشان (١٧) مشترف

ذمه داربوں ما فلال قالونی حق مس تو وه و عده ع جوحات عما

رصیت نامہ _] (۲۲) - لفظ وصیت نامہ " میں تمت رصیت نا مہا ور ہر تم کا نوشتہ داخل ہوگا جس میں موصی کی و فات کے بعد اس کی جنی کے موانق کسی جائدا دکے انتقال یا تصرف کا ذکر ہو-رج طری شدہ _] (العالم بی - الفاظ رہب شری شری "

ا مرمم محصف فرم من وم قان نشان ۲۱ سنال دو مراسط الدون من مرم محص مع موجد فعد من من و قانون نشان ۱۲ سنال مناسل م

1308 F: HYD. ACT III] General Clauses (Translation)

(27) the word "oath" shall include affirmation and every dec-"Oath" laration of the person by law allowed to affirm or declare instead of swearing;

*[(28) the word "affidavit" means the statement made in "Affidavit" writing and certified by oath before an officer of a court or other authority;]

(29) the word "act" when used with respect to an offence or "Act" wrong for which a suit for damages can be instituted shall include a series of acts; and words which refer to acts done shall also extend to illegal omissions;

(30) the word "offence" shall mean any act or omission made punishable under any law by a Criminal Court;

(31) the word "abet" and its deri-"Abet" vatives shall be used in the same meaning as in the Hyderabad Penal Code;

(32) the word "illegal" applies to "Illegal"

قابون تعبيه واطلاق توانين - نشان دس به منظرت ما بذن مها لك محروسه سركارها لي مين بعوتي بعو-ملف . (44) - لفظ ملف "مين اقرار صلح اور سراقرارا يشخص كاداخل يوكا جو كا ئ ملف قالوناً اقرارصالح يا اقراركر نے كا مجازمو-بيان لفي _ إر المال "بيان لفي " سے مرادابسابیان سے جوندراند تحریر کیاجا سے اور جس كى تقيد ن*ق حلف ستىي حاكم عد*ال<u>ت</u> يااور را كم فيا زير دوروكي كني بو- ا تسل - ۱۱۹۷) - لفظ " قبل " مين جب وه بتال كرجبهم بإنسل ناجائز كيجس كى بابته سرحه كا وعوى ببوسكا ميواستهال ببوسلسله انعال واضل مبرتكااور الفاظ حِفْل مِرْتِكِيهِ عِينِسوب بين ناجاً مُرْتَد كُفِل يُهِ بخفی حا وی ہورہ گئے۔ جسم - اروسل لفظ جم "سيكوتي ايسال با ترکفول مرا د بهوگا چرکسی قابون کی رو سے مدالت فويداري عية قابل سنرا قراره يا كيابهو -اعانت _ [(٣) - لفظ اعانت " اوراس كم منتهات اسي عني من التعال بيول تحص النه جموئه يتعزيدات علاك مجروسيمسركا دعالي مين أبتحال المو مستان -<u> خلاف قانون _ ا</u> (۱۳۳) _ الفاظ" خلاف قانون"

له يرميم ،وجيد فرعمن (٠٠٠ قانون نتان استالان

^{*} As amended by Act No. VI of 1310 F.

General Clauses [1308 F: HYD. ACT III

everything which is an offence or which is prohibited by law, or which forms a ground for a civil action;

"Legally a person when its omissbound to do" ion by him is illegal;

Bry Start Fill Str.

college in the day has

(34) the word "injury" means every kind of damage illegally caused to any person in body, mind, reputation or goods;

"Public shall mean a public nuisance" nuisance as defined in the Hyderabad Penal Code;

Charles of the state of the said

The think the to the same

MARIE WAR TO THE

(36) an act shall be deemed "to be "An act to done in good faith" also be done in in the case where it is in good faith" fact done in good faith eventhough it is done negligently;

(37) the word "imprisonment" shall include both rigorous ment" imprisonment and simple imprisonment;

(38) the word "month" means a month reckoned according to the *[Ilahi] era;

*As amended by Act No. VI of 1310 F.

Application of the property of the

مَّا تون تعبيروا طائق قوانين رنشان ٣١ است علا ف كامرائيها مريرا طلاق ہے جوجب مرم ہو يا قانو ناً ممنوع ہو یاکسی الق دادِ اک نیا ریر قائم کرے۔ ا مركزنا قاتوياً واحب ہے - إناس الله الفاظ امر كاكرنا قالوناً واحب المحية فض كيمتعلق امن نت بتعال کئے ماسکیں شکے حب کہ استخص کا اس ام كوترك كرا خلات قا تون بو ـ مفترت - ۲۱ سل الفظ مضرت سع مر ظرح كانقصان مرا دييع حوخلا ف قالون تسخص *سرکا رعا* لی میں کی کئی ہے م نىك نتى سىرى _{(1} (<mark>١٧ سا) _ الفاظ^{اء} نىگ نىچاپ</mark> من کھی سمچہا جائے گا جیب وہ فی الو کیا ما کیے خوا ہ و ہ عفلت می سے کیا گیا ہو ۔

1308 F: HYD. ACT. III] General Clauses

(Translation)

- (39) the word "year" means a year reckoned according to the *[Ilahi] era;
- (40) the words importing the singu-"Singular lar number shall also and plural" extend to the plural number;
- (41) the words importing the mas-"Masculine culine gender shall also and extend to the feminine feminine" gender;
 - (42) the word "public" extends to every community of public or class of people;
- "Person" include any company or association or body of persons, whether incorporated or not,
- *[(43-A) the word "minor" means "Minor" a person the eighteenth year of whose age has not been completed;]
- (44) the word "father" shall "Father" person in whose personal law adoption is permitted and who has adopted;
- "Son" every such person in whose personal law, adoption is permitted and who has been adopted;
- *[(45-A) the word "cattle" shall "Cattle" include elephant, camel,

تارن تعبيروا طلاق قوانين به نشان د مع بمستئن له ت سَال - ١ (٣٩) _ نفظ سال سي ده سال مراد مع جومطابق مساب الني كے شماركما ماك ر واحدوجع - مرح) - الفاظ بوصیعہ وا حدید دلات کرتے ہوں صیعہ مجمع بر تھی حاوی ہوں گئے ۔ ندكرومونت - (۱۲م) - الفاظ جومنس مُدكر مر ولالت سرتے ہوں مبن مونت مرتفی حا وی ہوں گے ۔ ب ١٠٠٠) - نفظ عامه مرتسرت م حِماعت باگر وه اشخاص کا د اقل بپو گاخوا ه اس کو ی واحل ہو گئاجس کے قانون قہ اسیمن واصل پ*و گاھی کے تا تو ن ذ*ا فی م*یں تب*نی

^{*}As amended by Act No. VI of 1310 F.....

General Clauses [1308 F: HYD. ACT III |

(Translation)

bullock, buffalo, horse, pony, mule, ass, pig, ram and goat;]

- (46) the word "vessel" shall include every ship or boat,
 "Vessel" or other description of
 vessels which may be used
 in navigation;
- *[(2-A) In this Act and in all Acts passed by the Legislative Council, unless there is anything repugnant in the subject or context—be of Govern-

ment.

- (1) when there is a reference to the area of H.H. the Nizam's Government, it shall be deemed to include the area of the Sarf-i-khas also:
- (2) when there is a reference to a government servant, it shall also include a servant of the Sarf-i-khas.

APPLICATION OF ACTS.

- 3. Unless a different intention Extent. appears—
- †[(1) every Act shall extend to the whole of H.H. the Nizam's Dominions;
- (2) every Act shall come into operation after one month from the date of publication thereof in the Jarida;

†As amended by Act No. VI of 1310 F.

تَا وَن بَعِيهِ واطلاق ق أي من منتان دس *) مستخش*ط م سراري كا ذكر موتواس

له ترمیم بوجیا و فعدم قانون نشان ۹ سیامیلدن سکه ترمیم بوجیا دفعه قانون نشان ۲ سمسنامیلدن

^{*}As amended by Act No. IX of 1322 F.

1308 F: HYD. ACT III] General Clausses (Translation)

- (3) when an Act comes into operation all those enactments and parts of enactments shall be repealed the subject of which has been merely repeated in, or is absolutely contradictory to that Act;
- (4) by a repeal of any Act the enactments and orders which might have been repealed thereby shall not come into operation;
- (5) a repeal of any Act shall not Effect of affect repeal.
 - (a) the previous operation of any repealed enactment or anything established by that enactment or duly done; or
 - (b) any right, privilege, obligation or liability accrued or incurred under any repealed enactment; or
 - (c) any penalty, forfeiture or punishment incurred in respect of any offence committed against any repealed enactment; or
 - (d) any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid;

and any such investigation, legal proceeding or remedy shall be instituted, continued or enforced, and any

تانون تعبيردا طلاق توانين - نشأ ن (١٧) سيم الله ف ينيخ - إ (علم) يوب كو يئ قانون ما فذكياها تو ده کل تو انین ا ور احزارقو انین نسوخ مو^{مای} حن عضمون محض اعاره باقطعی متافض اس تمانون کے ہو۔ تجلان ورزئ سي قانون محص كي تسيخ یموا میمو <u>- ما</u>

General Clauses [1308 F: HYD. ACT III

(Translation)

such penalty forfeiture or punishment shall be so imposed as if the enactment had not been repealed.]

4. Where any provision of an Act is repealed and it is re-enacted in the repealing Act without any change in the objective, the references in any other enactment or instrument in respect of the provision so repealed shall, (unless a different intention appears) be the reference in respect of the provision so re-enacted.

5. (1) If any period of *[time] is mentioned the day from which it is stated to commence shall not be included in the time but the day upto which it is stated to last shall be included therein;

(2) If any amount or quantity is mentioned, it shall include the highest limit expressed therein.

6. Where, by any Act, an Act or proceeding is done, or allowed in any Court of office on a certain date or within a prescribed period, then, if the said Court or Office is closed on that date or on the last day of the prescribed period, the act or proceeding shall be considered as done or taken on the due date or in due time if it is done on the *[day] on

کاؤن تعبیرو اطلاق فوائین - نشان ۱۹۱۱ سنشنسلارت یا نافذ کی جا کے گی اور کو ٹی الیسا کا وان پایسطی یا نیار اسی طرح عائد کی جاسکے گی کد کو باکہ نینے عمل میں نہیں آئی تفیی -

تعبیرتموخ شدہ تو ہنی _ا **وقعیک** _ بیرگاہ کو ئی حکم ا ورقا نون نتسخ کننده س وه ملا نند منضط بوتو وه حواسلے حوسی اور قانون متعلق بيون ستے حود و باره منصبط كياكيا . ی مرتب کیا وکرکیا جا ہے تووہ دن حس کا غانہ مبو آس مریب من و ایل نه مو*گانگن حس دن یک* اُس کا قبیام مذکور مرو و ه داخل بروسکا . 🕯) اگرکسی رقمه با مقدار کا ذکر کراخا

^{*}As amended by Act No. VI of 1310 F.

1308 F: HYD. ACT III] General Clauses

(Translation)

which the said Court or Office is open.

7. Measurement of a distance for Measurement of the purposes of any Act shall, unless a different intention appears, be made in a straight line on a plane.

8. Where, by any act, any duty of customs or excise or in the nature thereof is leviable on a certain quantity, by weight, measure or value, of grains or merchandise then a like duty shall, unless a different intention appears, be leviable at the same rate in proportion to the quantity.

POWERS AND FUNCTIONARIES.

9. Where, by any Act, any power romers is conferred, that power may be exercised from time to time as occasion requires.

10. Where, by any Act, a power to confer any authority or to make an appointment to appoint includes power to appoint ex officio.

Where, by any Act, a power to make an appointment to fill any office or execute any function is conferred, then, unless it is otherwise expressly provided, such

قانون تعبيروا لملاق قوانيق - نشان ٧ س) مستنظله ف ما دفتر ندکور کھلے تو وہ اُسی تا ریخ پاُسی مرت کے۔

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(Translation)

authority may be given, or such appointment may be made, either by name or by virtue of office; and every such authority or appointment shall take effect from the date on which intimation thereof reaches the person appointed and, where the appointment is made by notification in the Jarida. from the date of its publication in the Jarida.

* Explanation:—The power confer authority includes the power to cancel or modify authority conferred.

When any Government servant is invested with powers Exercise of within an area of land, powers in and is transferred to any case of other office of a like nature. transfer either equal to, or higher from one than the office aforesaid, office to another. then unless it is otherwise directed, the said person may exercise the same powers in the area of land to which he is transferred.

12. Where, by any Act, a power to make any appointment Power to is conferred on any officer, appoint then, unless it is otherwise includes power to expressly provided, suspend or shall also have power to dismiss. suspend or dismiss any تا فهان تعبير واطلاق فوانين - نشان د ۲ ئىسىم بىللەپ، كحكياها يابوتو تارتح انتباغت اس رتفئرا رضي من وسي التحتيا

^{*}As amended by Act No. VI of 1310 Fasli.

1308 F: HYD. ACT III] General Clauses

(Translation)

person appointed in exercise of that power.

Substitution of functionaries.

Substitution of functionaries.

Substitution of functionaries.

Substitution of functionaries.

For the time being exercising the powers in an office, to mention the designation of the officer at the time or generally exercising the said powers.

officer shall also apply to successors. the successors of that officer and such of his deputies and subordinates as may be lawfully dicharging the duties of that officer.

PROVISIONS AS TO ORDERS AND RULES MADE UNDER ENACT-MENTS.

15. Where, by any Act, a power to make orders, rules or · Power to forms is conferrred, then, make rules, such power shall be exeretc., includes cised in accordance with the provisions of that Act, power to and the rules made shall add, vary or rescind be published in the jarida, them. and, on the publication, shall have the force of

قانون تعِیْرِدا طلاق تواقین - نشان ۳۱ برشیخ

. .

Translation)

law; and the aforesaid powers shall also include the power to add, to vary or rescind the orders, rules or forms made thereunder in such manner and subject to such restrictions and conditions as may be laid down in that

Making and issuing of rules, etc., between passing and enenactments. >

Where, by any Act, which is not to come into operation immediately on the passing thereof, a power is conferred to make rules or to issue orders with respect to forcement of the application of the relevant Act, or with respect to the appointment of any.

Judge or officer or with respect to the establishment of a Court or officer, or with respect to the person by whom or the time when, or the place where, or the manner in which, or the fees for which anything is to be done under the Act, then, that power may be exercised at any time after the passing of the Act; but rules, or orders so made and issued shall not take effect till the commencement of the Act.

قانون تعدرواطلاق توانين - نشان (مع) مسلات يتبعبت أس قالؤن كامتنما لكياجا في كاراور كى روسى كانفاذ عين اوقت

قو اعد کے مرتب کرتے کا ہاتھلق قالون کے اطلاق ہیئے ایکا م حاری کر نے کا انعتبار عطا وة ما وقت نفازت الون مذكورنات ريد

1308 F: HYD. ACT III] General Clauses (Translation)

to make rules is given subject to the condition of the rules being made after previous publication, then, unless a contrary intention appears, the following provisions shall apply:—

(1) the authority having power to make the rules shall, before finally making them, publish a draft of the proposed rules in the Jarida;

(2) there shall be published with the draft a notification for a date after which the draft will be taken into consideration; and that date shall not be within one month from the date of publication of the notification;

(3) the authority having power to make the rules, and where the rules are to be made with the sanction, approval or concurrance of another authority, that another authority also, shall consider any objections and opinions which may be received by the authority having power to make the rules from any person with respect to the draft before that date fixed; but no person shall be allowed to make an objection to the effect that a certain objection of opinion has not been considered.

18. Where, by any Act, a power to issue orders, rules or forms is conferred; then expression in such orders, rules or forms shall, unless there is anything repuginant in the subject or con-

قا**دُن** نَبْدِرِواطِلاق قوانین - نشان دم ، مشتلات

General Clauses [1308 F. HYD: ACT III

(Translation)

text, be taken to have the same meanings as in the Act.

19. Where any Act is repealed and is enforced as a new Act with or without modification, then, unless it is otherwise expressly provided, any order, rule or form issued under the repealed Act shall, so far as it is not inconsistent with the provisions of the new Act,

Act shall, so far as it is not inconsistent with the provisions of the new Act, continue in force, and be deemed to have been issued thereunder, unless and until it is repealed by any order, rule, form or procedure issued under the new Act.

MISCELLANEOUS

20. The provisions of the Hyderabad Penal Code and the Code of Criminal Procedure relating to fines shall apply to all fines imposed under any Act or rule, unless the Act or rule con-

قالون تعبيروا طلاق قرانيين رفيثان دس منشت باقواعد بالمونرهات سحيجاري كرني كالمختبار عطاكياً كيا بهوتواً ن الحكام يا تواعد يا مونه جات

1308 F: HYD. ACT III] General Clauses

(Translation)

tains an express provision to the contrary.

21. Where an Act is an offence under two or more Acts, the offender shall be liable to be punished under any of those Acts; but shall not be liable to be punished separately under the two Acts for the same

offence.

- 22. (1) Where any Act is to be cited, it may be cited with its short title or its number and year.
- (2) When a certain provision of an Act is cited, it may be cited by reference to the section and sub-section in which the provision is contained.
- (3) Where any portion of an Act is cited, the citation shall, unless a contrary intention appears, be deemed to include the words in the beginning and end of that portion.
- Appeal against orders of punishment passed by the Court or departmentally shall unless it is otherwise provided, lie to the department immediately superior to the department imposing the punishment.

قا لۇلىتېردا طلاق توانىن- نشان د^ى نتان وسال سيراس وكركم جس میں دھ کرم